

# National Anti-Slavery Standard.

SYDNEY HOWARD GAY, Editor.

VOL. XI...NO. 19.

NEW-YORK, THURSDAY, OCTOBER 3, 1850.

WHOLE NO. 539.

Published Weekly.

BY THE

AMERICAN ANTI-SLAVERY SOCIETY,  
AT 142 NASSAU STREET, NEW YORK.

TERMS: TWO DOLLARS PER ANNUM.

All communications for the paper, and letters relating to its pecuniary concerns, should be addressed to S. H. GAY, NEW YORK.

Donations to the Treasury of the AMERICAN ANTI-SLAVERY SOCIETY may be forwarded to FRANCIS JACKSON, Treasurer, at Boston; or S. H. GAY, New York.

Norris & Brother, Printers.

Pro-Slavery.

THE FUGITIVE SLAVE BILL.

SPEECH OF HON. T. G. PRATT,  
OF MARYLAND.

In the United States Senate, August 20 and 21, 1850.

The Senate having under consideration the bill to provide for the more effectual execution of the third clause of the second section of the fourth article of the Constitution of the United States—

Mr. PRATT moved to amend the bill as amended, by adding several sections thereto, as follows:

Sec. — And be it further enacted, That whenever a person held to service or labor, as are hereinbefore expressed, shall escape as aforesaid; it shall, and may be lawful for the person or persons to whom such service or labor is due, or his, her or their agent or attorney, authorized in the manner prescribed by the third section of this act to deliver to the proper officer authorized by this act, to hear and determine upon the claim of such person or persons to the service or labor of such fugitive, a transcript of the record as authorized by the second section of this act, and authenticated as thereby required, or such other proof as such claimants would now by law be authorized to furnish; and thereupon, and on the affidavit in writing of such claimant, or of his, her, or their agent or attorney, made before such officer, that the person or persons named in said record as a fugitive or fugitives, is or are, at the time of such affidavit being made, within the county where such officer resides, or within the territorial limits within which such officer is authorized to act, shall be the duty of such officer forthwith to issue his warrant, directed as is aforesaid provided, and upon the receipt thereof by the officer to whom directed, it shall be his duty to execute the same, and to proceed therewith in the same manner as is prescribed by the third section of this act.

Sec. — And be it further enacted, That if such fugitive be not delivered up to the person or persons delivering such transcript, or furnishing such other proof as aforesaid, within — days after the same is delivered or furnished, and affidavit made as aforesaid, then it shall be lawful for such claimant or claimants to institute suit in the circuit or district court of the United States, in which he, she, or they reside, against the district attorney of the United States for such district, to recover the value of such fugitive from service or labor and the legal expenses incurred in the attempt to secure such fugitive.

Sec. — And be it further enacted, That at the time of instituting such suit in the circuit or district court as aforesaid, the said claimant shall file a declaration in writing, in which he shall set forth his title to the service or labor of such fugitive, and the proceedings had to be under the provisions of this act to recover such fugitive in the State or Territory into which such fugitive has escaped; that the said fugitive was in the county named in said proceedings when the same was commenced, and that such fugitive had not been delivered to said claimant as required by this act; that a copy of said declaration shall be issued by the clerk of said district court, and with a summons against the said district attorney, which shall be delivered to the marshal of the United States, to be by him served on the said attorney, and then returned as in the case of other mesne process to said court.

Sec. — And be it further enacted, That at the time of said court to which the said process shall be returned served, it shall be the duty of the said attorney to take issue to the said declaration, whereupon it shall be the duty of said court to swear a jury to try said issues; the said attorney hereby required to defend the same on behalf of the United States, and upon the verdict of the jury in favor of such claimant to be rendered upon such legal and competent testimony as shall be admitted by the court, judgment shall be rendered in said court for the value of the service or labor of such fugitive, as ascertained by the jury, together with the legal expenses incurred by the said claimant in the prosecution of his said claim.

Sec. — And be it further enacted, That it shall and may be lawful for any claimant who may recover judgment as aforesaid, to make an authenticated copy thereof, and to present the same to the Secretary of the Treasury of the United States, who is hereby authorized and directed to pay the same out of any money in the Treasury not otherwise appropriated.

Sec. — And be it further enacted, That if, at any time after any fugitive from service or labor shall be paid for as hereinbefore authorized and required, it shall be in the power of the officers named in this act to apprehend such fugitive, it shall be the duty of said officers to apprehend them, and as soon thereafter as may be to deliver them to the owners, or their representatives, to whom such payment may have been made; and upon such delivery it shall be the duty of the said officers to notify the district attorney for the time being of the district in which the owner may reside, of such delivery, whereupon the master shall become liable to the United States for the value of such fugitive at the time of such delivery, to be recovered by the said district attorney of the master by suit in said circuit court.

Mr. PRATT. I suppose that the amendment which I have had the honor to offer for the consideration of the Senate, has been read by every Senator present. The Senate will perceive that it proceeds upon the hypothesis, that the Constitution of the United States imposes upon the Federal Government the obligation to deliver to the master his fugitive slave, when the slave shall have escaped from the State within which the master resides to any other State of the Union. The clause of the Constitution is in these words:

"No person held to service or labor in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."

Here is an express constitutional direction that fugitive slaves, who shall thus escape, shall be delivered up on claim of the party to whom the service or labor is due. Now, sir, if there had been no decision of the Supreme Court giving a construction to this article of the Constitution, and if there had been no legislation in conformity with it, or to carry it out, there might be some doubt as to the party upon whom this obligation is imposed. But Congress in 1793 passed a law, to which reference was made on yesterday, by which Congress declares that the master shall be entitled to seize or arrest his fugitive slave whenever he shall escape from him into another State of the Union. It then makes it the duty of the master to take the fugitive that he has so seized before a judge or committing magistrate. It makes it the duty of the magistrate, not as the Senator from New Jersey [Mr. Dayton] and others seem to suppose, to summon a jury to determine the rights of the master, but it makes it the duty of the judge or magistrate before whom the rights of the master, and then the obligation is imposed on the judge or magistrate to issue his certificate to the master, who is entitled by virtue of that certificate to carry the slave from the State into

which he had escaped, back to the State whence he fled. Now, in connection with this constitutional provision and the act of 1793, the consideration of the Senate has already been directed, upon more than one occasion, to the decision of the Supreme Court of the United States, in the case of the Commonwealth of Pennsylvania vs. Prigg, and the Supreme Court, in the case decided by the constitutional provision and the act of 1793 impose obligations upon the Federal Government to discharge toward the master the duty of delivering to the owner, upon his claim, his fugitive from labor or service; and the Supreme Court further decided that all State laws passed in reference to this provision are unconstitutional; that they could not appoint any State officer for the purpose of executing this provision; and that it is exclusively the duty of the Federal Government to execute the obligation to which I have referred. Now, sir, the amendment which I have had the honor to propose, is predicated upon this proposition, that, where, as here, there is a clear, distinct, manifest obligation imposed by the Constitution in reference to property therein recognized as such, to deliver up that property to the owner, when claimed by him, there follows, as a consequence of a neglect to perform that duty, an obligation on the parties upon whom imposed to pay for the property. I apprehend that no proposition can be clearer than this, that where any competent authority imposes on an individual a binding, legal, constitutional obligation to do a particular thing, to deliver up to an individual property which belongs to him, that, from the non-discharge upon the part of the individual of the obligation so imposed, there would necessarily result a liability on the part of the individual to pay the damage or loss consequent to the owner. I think that there is no legal mind in the Senate, no member of the Senate who will deny this proposition. I apprehend, also, that the further proposition cannot be denied, that where an obligation imposed on an individual is binding, the same obligation would be binding if imposed in the same language upon the Federal Government. Here, then, I have made out, I think, that under the Constitution, and the construction of that Constitution by the Supreme Court of the United States, the Government of the United States has assumed the obligation to deliver to the owners of fugitive slaves those slaves, whenever claimed by the owners. Now, I say that no mind, as it appears to me, can dissent from the conclusion that the non-compliance by the Federal Government with the obligation so imposed, would necessarily devolve upon the Government the obligation to pay the master for the loss which he may have sustained by reason of this dereliction of duty on the part of that Government. The principle of the amendment is based upon this theory.

If I might claim the indulgence of the Senate, I would be glad, for a very few moments, to call their attention to the subject—one of the subjects—which has been under discussion for the last six months, for the purpose of showing that the amendment which I have proposed is one that would tend to establish peace and harmony between the two sections of the country than any of those hitherto acted on by this body. It was well said by the Senator from Massachusetts [Mr. Winthrop] yesterday, that there are people, both North and South, who desire the separation of this Union, and the destruction of the Federal Government. Those at the North have been actuated by a wish to abolish Slavery, and their desire to destroy the Government proceeds from the proclaimed fact, on their part, that the Constitution of the United States protects the master in his right to his slave as property, and the consequent inability, on their part, to abolish Slavery. This, then, is the fanatic notion of those persons at the North, who desire to destroy the Government of the country. Now, there is a class of persons at the South, who, for reasons the exact opposite of those which have induced Northern men to entertain these opinions, entertain a wish for the dissolution of this Union, would be of advantage to the South, because this description of property would be better protected under a separate Southern government, than it is protected now under the Federal Government. And why, sir? Mr. President, these dangers to the institutions of our country have grown out of the daily excitement which is attempted to be produced, here and elsewhere, upon this subject. We find petitions flowing in here daily from the Northern section of the Union, asking that the property belonging to the South be returned useless to them. It must be recognized by Senators, that the value of this property at the South is estimated at \$1,600,000,000. Now, when that is brought to the consideration of the Senate—when members reflect that there is a portion of this country owning a description of property valued at \$1,600,000,000, and that daily efforts are made here to induce a state of public opinion by which that large amount of property is to be rendered valueless, they cannot but be excited and incensed by the fact that the part of the South is just cause for excitement on the part of the South. Every one knows that the constitutional provision, and the act of 1793, which I have called to the notice of the Senate, have not afforded an adequate remedy to the South, in reference to their slaves who have escaped from them. Now, the questions submitted to the Senate by the amendment I have proposed, is, whether they are willing to protect the South in this admitted constitutional right; and if they do not pass a law sufficiently effectual to carry out the obligation on the part of the Federal Government to deliver to the owner his slaves, when they escape, whether they will not pay the owner the value of the property of the National Treasury for the non-compliance with that obligation.

Some years ago, when I was Governor of the State of Maryland, I was more interested in the subject of the present bill than any other State in the Union, of the present Virginia and Kentucky, and perhaps Tennessee and Missouri, the only States who are interested practically in the bill—various attempts were made by me in my executive capacity to enforce the rights of the citizens of my State under the act of 1793, and under the constitutional provision. The Legislature of Maryland had passed a law making it a felony for a slave to escape from his master. The law is certainly unconstitutional, unless it be held that the separate States of this Union have no right to declare in reference to their own people what shall be felony within their own limits. Several negroes then who had escaped were indicted for this offence, and upon the indictments I issued requisitions to the Governor of Pennsylvania for the delivery of the servants who had escaped, and had thereby committed the felony created by that statute. The Governor of Pennsylvania refused to deliver them up. After that refusal was made known to me, other cases occurred, and I advised the owners to proceed under the act of 1793. They did go to Pennsylvania. They apprehended and seized their servants, as expressed by the act of 1793. They took them to the magistrate before a magistrate, as required by that act. The magistrates heard the claims of the masters, and decided in their favor, and after that decision, and after the magistrates had given their certificates, the servants were taken by a mob from the custody of their masters, and the master in one instance was murdered in the streets of one of the States of Pennsylvania. And although the good people of that Commonwealth looked with as much horror upon the act as the people of any other community in this Union, yet, because of public opinion there, they were unable to punish the men who had perpetrated this foul murder. Whilst I was Governor of Maryland a servant deliberately attempted the life of his master, by shooting at him through the window of his house at night. That servant was indicted for an attempt to murder. The negro escaped from jail and took refuge in the city of Philadelphia. On the indictment I issued a requisition on the Governor of Pennsylvania to deliver up the servant as a felon. The Governor of Pennsylvania refused to deliver him up. The Governor of Pennsylvania issued his requisition and the servant was arrested. A trial was then had whether the Government warrant was sufficient. The presiding judge, however, determined that the servant ought to be surrendered to his master, and directed him to be. After his delivery, in consequence of the violence of a mob, the negro was placed in charge of the sheriff of the county of Philadelphia, to be detained until

the agent of the owner in Maryland could safely carry him beyond the limits of Pennsylvania. Whilst he was in jail a writ of habeas corpus was issued by another judge: the fellow indicted for murder was taken out of prison, and by some agency placed beyond the control of justice, and we have never heard of him from that day to this. Now some twenty cases of a like kind to those which I have recited occurred during the three years that I was Governor of Maryland. Senators, therefore, cannot be surprised that the people of any section of this country would be excited when such scenes occurred before them as this: when their property is seduced from them, and when, after reclaiming it under the constitutional provision and the act of 1793, a lawless mob can interfere, rescue it, and murder the master, and remain unpunished; and when one State has declared a particular act to be felony, that the Governor of the other State shall decide that that act is unconstitutional, and refuse to deliver up a party indicted for felony, because he chooses to think that the law creating the offence a felony is unconstitutional. Why is all this? It is because of the sympathy upon the part of those persons for the slaves. It illustrates the remark which I must say I was very sorry to hear from the Senator from Massachusetts yesterday, that no law in this country could be executed unless the people of the place where it was to be executed were in favor of it. So it is with reference to this large amount of property, estimated at \$1,600,000,000. No matter what law you may place on the statute book—and you can place no law more distinct than this clause of the Constitution; you can frame no law which imposes upon more obligatory force the duty to deliver up than the act of 1793—place any law you please on the statute book, the people of the free States, having their sympathies excited in favor of the slave, refuse to execute the law. The law is a nullity because the will of the people is against it, to use the language of the Senator from Massachusetts. What protection then, have we for this \$1,600,000,000 worth of property? Can we pass any efficient law unless such a one as I have just described? The bill which you have before you contains a provision that officers appointed by law shall take affidavits and deliver up those persons. You have already the act of 1793. The act of 1793 has not been executed, not because its provisions were not adequate, but because its execution was against the will of the people where the law was to be enforced. The facts which I have detailed as having occurred in my own State (and hundreds of similar cases will be within recollection of all who hear me) clearly demonstrate the utter inefficiency of the existing laws, and I ask Senators to point out the feature in the bill now under consideration which would be more effectual when similar cases shall hereafter occur. I ask, then, whether the most just as well as the most efficient remedy would not be to impose upon the Federal Government (which, under the decision of the Supreme Court, is alone authorized to discharge that duty) the obligation to pay the damage, if they fail to discharge the duty?

The American people are essentially a practical people. I never shall believe that they are willing to risk the destruction of this Government upon a mere abstraction. Now, permit me to ask my friends on the other side of the Chamber, what do they propose for themselves? Let me ask the Senators from Massachusetts, or any other gentleman whose States entertain (not that they do) different opinions from those entertained by us and I, what it is their people desire, unless it is the abolition of Slavery? There is nothing practical other than this which can grow out of all this agitation upon their part. Now let me put a further question to them. Conceding for the purpose of the argument, the right of the Federal Government to abolish Slavery within the States, would their people consent to the exercise of such power, in view of its necessary consequences? It is admitted by all the Senators upon this floor—even by the Senator from New York [Mr. Seward]—that the abolition of Slavery would cost the Government \$1,600,000,000 annually—the interest on this would be \$96,000,000 annually—more than double the entire income of the country. Will any portion of the people of this country, North or South, consent that the Federal Government shall assume these \$1,600,000,000 for the purpose of carrying out this mere miserable abstraction? If it was to be paid by the States, it would impose upon the State of New York liability to pay \$192,000,000, on my own State \$32,000,000, and on Massachusetts \$64,000,000. Let me ask Senators, would they consent to a Union which would assume this debt of \$1,600,000,000, the annual payment of interest on which would be \$96,000,000, or that their individual States should assume a separate obligation to pay their quota of that amount? If the South would consent that you would abolish Slavery, can you abolish it? Has the General Government the capacity to pay this amount? Have the individual States, if it is to be assumed by them, the ability to pay this amount? Is there which would be here representing any State who will consent that his people will consent, on a mere abstraction, to risk the mighty destinies of this great country upon a question which gives them a power they would not exercise if they could, and which they could not exercise if they had the will, because of their inability to pay this enormous amount?

But, independent of this \$1,600,000,000 which would be imposed on the Federal Government by the abolition of Slavery, as a consequence of it would be the necessary obligation to remove the slaves beyond the limits of the country; for no philanthropic sentiment can for a moment believe that such a thing as the southern States would agree to such a thing, would agree to an evil preferable to which would be the entire destruction of the whole of the black race at one single moment. It would be better for them that you should pass a law by which they should be brought up and at once destroyed, than that they should undergo accumulated miseries year after year. The ultimate result would be—

I have given the subject of the Senator's consideration, and I am sure that there can be any well-founded constitutional objection to the proposition which I have submitted. I read this morning in the Union the abstract of a speech delivered by a member of this body [Mr. Seward] before the people of a non-slaveholding State of this Union, which shows the character of the aggressions which have excited the feelings of the South upon this subject. Permit me to read two extracts from that speech.

I ask the attention of those Senators, who, at one time, were disposed to oppose the individual referred to, from the just censure which his remarks made in this body, ought to have imposed upon him, to the sentiments expressed by him on this occasion:

"It is written [says he] in the Constitution of the United States that five slaves shall count as equal to three free men, as a basis of representation; and it is written, also, in violation of the Divine law, that we shall surrender the fugitive slave who takes a refuge at our firesides from his relentless pursuer."

Then his advice is "reform your own code." This is the advice given to the people of Ohio, a non-slaveholding State, at a mass meeting, and given to a people who have produced as much of this excitement on the subject of fugitive slaves as those of any other State. This is the advice given to that people by one standing high in the estimation of his own State:

"Reform your own code; extend a cordial welcome to the fugitive who lays his weary limbs at your door and defend him as you would your household gods." Yes, sir, "defend him as you would your household gods."

Mr. FOOT. What Senator do you allude to?

Mr. CASS. The "higher law."

Mr. PRATT. That is it. Now, I ask those Senators who represent the non-slaveholding States of this Union, can you expect that the great object which the Senate has had in view for the last six months—that of producing peace and harmony between the people of the two sections of this Union can be attained, when you have language such as this used at mass meetings of the people, by persons standing before them in the position which the speaker on this occasion occupied? Can you believe, sir, that this harmony can be produced by any action here, any law which you may pass here, merely having for its object the delivering up of the fugitive slave? Here these people are advised not to deliver them up, but to protect them, and defend them, as they would their household gods. The people, sir, not seeing constitutional obligations resting upon them, fully as we see them, will obey these instructions; and if as the Senator from Massachusetts said, this law cannot be executed unless the community favor the law, I ask what will be the use of it? Can you expect the persons holding this vast amount of property, this \$1,600,000,000 of property, to be content with it? And can you thus leave the subject, and say that you have discharged all your obligations in regard to it, by passing a law, which at the very time of its passage, you say cannot be executed, because the people upon whom it is to operate will resist it? Sir, is this a Government, or is it not? Is it a government which we ought to defend, and which we ought to be proud of? Is it worth fighting for?—more, is it worth living for? Here is a constitutional obligation imposed, a constitutional right conferred, the right of property admitted, the direction to the Government implicit to protect that property; and yet, when it is not protected, the Government is not to be answerable for it? The Government can pass no law which shall be effectual, because the people will not execute that law; and yet the Government is not to pay for the loss thereby sustained? Are gentlemen prepared to assume that position? Sir, I am prepared, in reference to the amendment which I have offered, to defend its provisions, I think, against any attack which may be made upon them based upon constitutional or other grounds. I believe it to be the only remedy which the Government has, and that we will settle now and forever the agitation upon the subject of fugitive slaves. The North cannot say it is unjust to them, because the South will pay at least one half of the value of those fugitives, which, by reason of a "higher law," or some other, they are unable to reclaim. The South, I hope, in that spirit of harmony which has heretofore governed their counsels, and which, I hope, will continue to govern them, will agree to accept this as the only means in the power of the Government, by which the constitutional provision in reference to their rights, can be executed. If we pass this law, there will cease to be this excitement in regard to fugitive slaves, either in Kentucky, Virginia, Maryland, or any of the States who are subjected to their loss; because then the masters can go to the State into which their slaves have escaped, and by pursuing the course indicated in this amendment, if the officer of the Government does not discharge his duty, if the Government of the United States will not do what it is pledged by the Constitution to do, then the right is given them to come back to the Government and say, "You refuse or neglect to comply with this constitutional obligation; now pay us for the loss we have sustained."

I have heard it intimated that it may be objected that, under such a provision, persons in the Southern States might voluntarily suffer their negroes to escape. This cannot be a sound objection, because the owner is to make an affidavit of the involuntary escape of the slave. He is not only to do that, but he is to institute a suit for his recovery after his non-delivery by the officer of the United States Government, and is, by legal and competent proof, (other proof, therefore, than his own testimony,) in the circuit court, before a jury summoned by that tribunal, to show that he made the demand for his servant whilst he was in the bailiwick of the officer on whom he made the demand. The law, sir, is not to be admitted by the judges of the court to be competent as such proof. But, sir, no candid man, who will look at this subject, can say that there is any danger of abuse to be apprehended from this source, because to say that there is, is to say that, notwithstanding the violation of his oath involved—for that is the supposition—he is willing to incur his responsibilities for the purpose of manumitting his own servant, and getting pay for him. The master would be kind as to extend so strong a desire for the manumission of his servant, would be too good to take a false oath; and no man who desired to obtain money for a servant which he had in his possession, and could sell at any moment, would resort to this means to obtain his value, when it could only be done after a tedious litigation, and the requirement of proof which he might be unable to furnish. No man would suffer his slave voluntarily to escape for the purpose of obtaining, through the medium of this amendment, only that which he could obtain by using his servant as he would. He would not go any further at this time into the consideration of this subject, I shall hope, with the assistance of the other friends of the bill, to be able to answer successfully any objection which can be urged to its passage. I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

After some remarks from Messrs. Winthrop, Dayton, Badger, and Butler, the Senate adjourned.

WEDNESDAY, AUGUST 21, 1850.

The bill and the amendments being again under consideration—

Mr. PRATT said: I desire to occupy the attention of the Senate but for a very short time, to answer a question which was asked by the Senator from New Jersey [Mr. Dayton] to day, which seems to be a mere repetition of the argument which he made before, and what I am about to say may be properly considered as a continuation of the remarks with which I troubled the Senate yesterday. I had not the pleasure of hearing the first objection which he urged to the amendment, but which, I understand, related to some of its details. I cannot, consequently, reply to it. But the first objection which I did hear, was that, under the amendment which I have proposed, the State where the slave is arrested to the State from which he fled, and in which the master resides. Now, this is an objection to the details of this bill, and if the Senator's objection rests merely upon matters of detail, I think it was his duty, this being a measure of so much consequence, and so well calculated to restore peace and harmony to the two sections of the country, to have offered some amendment by which his objection would be obviated, so that he might have carried out the principle of the bill in accordance with his own views. The argument of the Senator upon this objection is, that the trial is to be held in the State from which the slave fled, without any provision for notice to the marshal or officer of the United States Government whose duty it had been to deliver the slave in the State to which he had escaped; and that, consequently, the master might obtain a verdict without a fair trial, so far as the United States are concerned.

Surely, Mr. President, the Senator from New Jersey could not have examined with his usual care the amendment to which he has urged that objection; because it is expressly made the duty of the district attorney of the United States, who is made the defendant in the suit, to protect the interest of the United States. What, then, is he obliged to do in order to conform to the duty so imposed upon him? He knows by the declaration required to be filed at the commencement of the suit, upon which the verdict is to be rendered, that one of the issues is, whether the master made application to the proper officer for the delivery of his servant in the State into which that servant had escaped, and whether the servant was within the bailiwick of the officer at the time he made the demand. This, then, is one of the issues to be tried by the jury—a jury summoned in a court of the United States, the defendant being an officer of the United States. Why, sir, I cannot but think the Senator will see that this objection is certainly taken from under him. Be-

cause, where an officer of the United States is made the defendant, whose duty it is to defend the rights of the United States, and when one of the issues to be tried is, whether the master made application to the officer of the United States for the delivery of the servant, and whether the servant was within the bailiwick of that officer at the time the demand was made, it cannot be believed that this officer, who is to act on the part of the United States, would not have all the witnesses there necessary for the defence.

But, sir, turning from this objection in reference to the details of the bill, I come to the objection which the Senator has urged to the principle, as he terms it, of the amendment; and in regard to this he has reiterated the assertion that the principle of my amendment is to make the United States the endorser upon this subject for all the defaulting States. Now, if the Senator will give me his attention, and I do not convince his mind that he is wrong in this, I would consent almost to vote against the amendment which I have offered. Unlike the Senator from South Carolina, [Mr. Butler], who addressed the Senate upon this point yesterday, the Senator from New Jersey, I take it for granted, believes that he is governed and ought to be governed by the decision of the Supreme Court of the United States in reference to all constitutional questions. I suppose that is the doctrine of the Senator from New Jersey. Now, what is the meaning of being "the endorser?" What is the idea he designed to convey? Not, of course, an endorsement, as we understand it, commercially speaking; but he means that the United States assume a liability which properly belongs to the States.

Mr. BUTLER. It is perhaps right that I should state here, (with the permission of my friend from Maryland,) as the proposition I stated yesterday has been referred to, that I said that I was willing to be governed by the decision of the Supreme Court of the United States in reference to all constitutional questions, so far as regards the only question adjudicated to not beyond that; and I then said, that, in my opinion, the only question adjudicated was the one decided by Chief Justice Taney.

Mr. PRATT. I understood the Senator from South Carolina yesterday to say, in reference to that decision, that he would be governed by it only so far as he considered it right, and good law. That, however, is not the doctrine of the Senator from New Jersey. He believes that the Supreme Court is a tribunal appointed by the Constitution for the purpose of deciding constitutional questions, and that its decision in regard to constitutional questions is final and conclusive.

Now, the proposition of the Senator from New Jersey is, that the United States are the endorsers for the defaulting States; that is, that they are assuming a liability only belonging secondarily to the United States, and primarily to the States themselves. The Senator cannot read the case of the Commonwealth of Pennsylvania vs. Prigg without admitting that the Supreme Court have decided that the United States are not to be held liable to deliver up the fugitive slave to his master is an obligation imposed on the United States Government alone; and that not only have the State governments no such obligation imposed on them, but that it is unconstitutional for the State governments to exercise any jurisdiction in the matter. I defy the Senator from New Jersey, if he has read that decision, to deny that it is as I have stated it to be. Therefore I have these propositions, which are conclusive upon the argument made by that Senator: first, that the Supreme Court has decided that there is no liability, primary or secondary, on the part of the State governments and consequently that the United States cannot be assumed to hold the attitude of an endorser for the States, because not only were the States never bound to discharge the duty from which the liability arises, but, according to the Supreme Court, they have no constitutional power to discharge it. The Supreme Court have decided that any law passed by a State in reference to the discharge of this supposed liability, is unconstitutional, and that if such a law is declared void, here, then, instead of the Federal Government being the endorser for the defaulting States, the Federal Government, under the Constitution and under the decision of the Supreme Court, are the original defaulters; themselves, and the only defaulters; they are not to be placed as a substitute for the States, for they are the only party who were primarily or secondarily liable. But the Senator says that no law involving the principle of this amendment has ever passed. And it was said to me this morning by a friend, very politely, that he could not support my amendment because it was a foolish amendment, and he could not think of voting for a foolish amendment.

Mr. DAYTON. The Senator did not hear me say so.

Mr. PRATT. I did not impute it to you.

Mr. DAYTON. You were speaking in connection with my argument, and it might be so understood.

Mr. PRATT. I was about to remark that the proposition involved in the amendment may be new to the minds of some Senators, but to me it is not a new one. Some years ago, a lawless mob in the city of Baltimore, uncontrolled by the city authorities, destroyed the property of the United States, and the original defaulters; themselves, and the only defaulters; they are not to be placed as a substitute for the States, for they are the only party who were primarily or secondarily liable. But the Senator says that no law involving the principle of this amendment has ever passed. And it was said to me this morning by a friend, very politely, that he could not support my amendment because it was a foolish amendment, and he could not think of voting for a foolish amendment.

Mr. DAYTON. Will the Senator permit me to interrupt him?

Mr. PRATT yielded the floor.

Mr. DAYTON. But suppose that the Government were to carry out the obligations of the treaty, and were to put a sufficient number of troops there for the defence of it, yet by some kind of accident a Mexican house was to be burnt, or some Mexican property lost, does the Senator mean to say that the Mexican could call upon this government to be responsible for the damage for not supplying the proper defence?

Mr. PRATT. That is the very case I was about to put. Suppose that the United States send what they deem a sufficient number of troops for the purpose of carrying out this treaty obligation on their part; but suppose these troops, before they reach the frontier, are seized by an American mob, and shut up in prison, so as to be unable to reach their destination, would the United States for any losses they might sustain in consequence of the absence of those troops? Again, suppose that the soldiers reach their destination; but, instead of protecting the Mexicans, run away; or suppose that the force is utterly inadequate for the purpose; or suppose, in a word—for it comes to that at last—they fail to fulfil this treaty obligation; would they not be bound to pay for any loss which might occur in consequence? The treaty guaranties to the Mexicans the protection of their property. That is precisely what the Constitution guaranties to the slaveholder. And I say, for one, that if the United States do not dis-

charge that obligation, and if the Mexicans are not protected, that I should hold that we are bound to indemnify them; and so are we also bound to indemnify citizens of the United States for losses occasioned to them by reason of the non-compliance of the Government with a well-recognized constitutional obligation.

But the Senator says that if you admit the principle involved in this amendment, there are hundreds and thousands of cases daily occurring which would entail upon the Government a liability obligation to pay money out of the Treasury, to gratify the same principle. I ask the Senator to read to the Senate, or suggest to me, a single clause of the Constitution which enforces the same obligation on this Government, in reference to property? I assert, and I do it with diffidence, that this is the best of my recollection, that this is the only clause in the Constitution which, in direct terms, admitted-by-all, obliges the General Government to perform a specific obligation in reference to property. But, to carry out the idea which I was about to extend when the Senator from New Jersey asked my indulgence to suffer him to propound a question, what was the relative positions of the slave States and the Federal Government at the time of the formation of this Constitution? Why, sir, Maryland was a sovereign State then, as such as Mexico is a sovereign Government now. So were all these States. Well, the Constitution is a simple treaty, or agreement on the part of those States to give up a part of their respective sovereign rights for the purpose of forming a General Government. That was the compact between those sovereign States forming the Government of the United States: thereby making a compact between that Government and each of the States separately, in reference to all the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty with the General Government, it is possible, but for the obligation assumed by the Government, for the obligations which were imposed upon them by the Constitution or treaty. You can therefore, make no distinction between an obligation assumed at the formation of the Constitution of the United States, towards the State of Maryland, and the obligation assumed by the United States in the treaty with Mexico. Maryland was then as sovereign as Mexico is now. She would not have entered into this treaty



# NATIONAL ANTI-SLAVERY STANDARD.

amendment would be ineffectual. Senators on the other side of the Chamber say it would be ineffectual; and the experience of Maryland and Virginia shows that it would be ineffectual. Any law that can pass cannot impose more stringent conditions than the act of 1793. The only way to get the free States to deliver up the fugitive is to make the act more stringent. Indeed, previous to the abolition agitation hundreds of cases have occurred where the owners of slaves escaping from Virginia and Maryland have had them delivered to them; but since abolition has become an active element in the political contests of the day, I do not know a single case in which the fugitive has been surrendered to his master. Now, I ask my friends, is it not the duty of the Union, what objection can the other section of the Union, what objection can you say that you want an effectual law? I know you do for I am sure that every Senator here desires this constitutional provision to be carried out. You admit that any law which has for its object simply the delivery up of the fugitive will be ineffectual, and still refuse your support to this amendment, which will be efficient. I ask my northern friends to reconcile this inconsistency. I am willing to see any law on record here against a proposition by which these slaveowners, who, from the organization of our Government down to the present time or at any rate since the period that abolition has entered as a political element into the agitation of the country, have been unprotected by any law of the United States, shall receive this small chance of identity? I ask if they are willing to do this, they themselves admitting that the proposed law without amendment would be utterly ineffectual? It was said yesterday by a Senator here that the free States were willing to give, and indeed that we have already our remedy by bringing actions for damages against the parties who may resist us in the attempt to recapture our slaves, and two cases were read to us where such damages were recovered.

Now, I appeal to the fair and candid judgment of the Senator who read those cases, and I ask him to say, on his honor as a Senator, does he not know that such a remedy is not available? What does it amount to? It depends upon the fact whether the rioter is a man of property or not. You may bring your action for damages and recover judgment, but can you collect money from these rioters, who of course are worth nothing? Therefore, in the cases referred to, where damages were awarded of five or twenty thousand dollars, what were such rioters worth? We all know that in these cases, where rioters, these persons who disregard the law, have no property to be affected by the judgment incurred for its violation. To set this forth as a remedy, then—unintentional though it be on the part of the Senators doing it—it is wounding the feelings of the South and insulting their judgment. What else can it be styled, to tell them that the Constitution obliges the States to deliver the fugitive negroes up, and if these people refuse to do it, your remedy is by bringing a suit against the mob?

Mr. President, there is much in relation to the subject which is entirely misunderstood. One argument that I have heard in relation to this subject is, that it is not particularly connected with this provision of this bill, it is true—is that the North have some reason of complaint upon the ground that the South are represented in Congress, in the other branch, on the basis of their slave population. Why, sir, when the present census shall have been concluded, and we shall be obliged, as we will be shortly, to re-arrange the representation in the other branch in consequence of that census, you will find that Ohio, New York, and Pennsylvania, will each of them have at least one Representative elected upon their free negro population—a population just as far from being politically free as are the servants of Maryland, not being permitted to vote, and having no political privileges. Yes, sir, the political freemen of Pennsylvania will be represented in Congress, and the seat of one of their Representatives will be based upon this free negro population.

When I offered this amendment I had at least the hope that all the Senators representing the southern States would, upon this question, (although they have upon other questions) been found to stand shoulder to shoulder in this endeavor to procure protection for their fellow-citizens holding the same description of property as themselves. I was in hopes, also, that fair-minded men, representing northern constituencies here, would have been willing to give us this amendment, which will be effectual to the protection of the South in this particular, and which would have in the slave States of this Union more influence in producing harmony and peace, and a restoration of fraternal relations between themselves and their sister States, than any other action which could be had by the vote of a single Senator. There may be no immediate danger of a dissolution of the Union, but if this course of agitation is persisted in, what will be the result? If it continues from year to year, until your constituents are weary instead of feeling brethren, and follow-citizens, and the feeling of brotherhood and fellow-citizenship shall have become, after a long and arduous and recrimination on either side, as personal enmities, having the feelings of personal enmity towards each other, what then will this Union be worth? When that day shall arrive, and it seems to be fast approaching, then all our efforts here or elsewhere will not prevent a dissolution of the Union, because to continue together would be worse than dissolution. Adopt this amendment and I recently believe that you take away from the South the chief element of discord. By its passage by the votes of the northern section of the Union, you give to the South a substantial evidence, which they can understand, of your desire to do them justice. I do hope that the Senate will reflect upon this amendment. I have not offered it without due and proper reflection, and without being convinced on my part that a measure of this kind is the only remedy by which this agitation can be arrested and justice done to the slave-owners.

## PROCLAMATION OF GOVERNOR TOWNS.

By Telegraph to the Southern Press.  
Macon, Ga. Sep. 28—10 o'clock P. M.  
To the Electors of the State of Georgia:

Below I forward the Proclamation of Governor Towns of Georgia:

George W. Towns, Governor of the said State, to the electors thereof, greeting. He has been officially informed that the Congress of the United States has admitted California into the Union of the Confederacy upon equal terms with the original States, a duty devolves upon me, in the performance of which I shall trespass upon the public time, and the assigned defense for public opinion, and the profound regard I entertain for the honor, firmness and patriotism of my fellow-citizens of Georgia, will not justify me, in a paper of this character, in repeating my known unchanged opinions as to the duty of the South in repelling Free Soil usurpation by Congress. Whatever is compatible with the honor and obligations of the people of the State to the country, its laws and its institutions, I do not will receive their warm support, in an hour of danger, when your institutions are in jeopardy, your feelings outraged, your social organization derided, your honor deeply wounded and the Federal Constitution violated by a series of aggressive measures, all tending to the consummation of one object—the abolition of Slavery. The common territory of all, which you have a right to occupy and enjoy, has been denied you by the form of law, under pretence the most shallow—it will become you to assemble, to deliberate, and counsel together for your mutual preservation and safety, whatever it may cost. The extraordinary events by which we are encompassed, and the measures which it will demand of us, will be left, as they should be, to the patriotism, firmness, and prudence of the people themselves. Upon them devolves the duty of redressing present wrongs, and providing other safeguards for future security—neither the one or the other of which, however, will ever be effectually accomplished, until by the restoration of perfect harmony and concord of feeling are restored, and concert of action produced among the people of the South.

In view, therefore, of the atrocious Free Soil sentiment and policy, not merely of the non-slaveholding States, but of the government—of the imminent peril to which the institution of Slavery is reduced by the act of Congress admitting the State of California into the Union with a constitution containing the principle of the Wilmot Proviso, and in defiance of our warning and earnest remonstrance—in view of the deplorable fact that some diversity of opinion exists in some of the Southern States, as to the propriety of repelling the wrongs and holding the dangers which all must see and feel—let me, fellow citizens, earnestly entreat you to cultivate for each other a deep and abiding sentiment of fraternal regard and confidence, and approach the task from which there is no escape, of deciding upon your duty to God and to man, and to the welfare of the whole State, as one man, proposing nothing beyond what the emergency may demand, or failing to perform whatever patriotism, honor, and right may require at your hands.

The General Assembly of this State, by an act approved the 20th of February, 1850, having required me to issue a Proclamation ordering an election to be held in each and every County, for Delegates to a Convention of the people of this State, to take into consideration such measures as may be deemed proper for the rescue of the fugitive from the United States, and to decide upon our relations to our co States, and to decide upon what measures are necessary and proper to be taken, compatible with our honor and Constitutional obligations, as well as more effectually to secure our right of property in our slaves, and to arrest all aggression by a section of the Union upon the free enjoyment of the Constitutional rights of the other; and, lastly, to preserve inviolate the equality of the States of the Union, as guaranteed under the Constitution; therefore, be it enacted, that I, George W. Towns, Governor of the State of Georgia, by the authority and mandate of the law, do issue this, my Proclamation, ordering and directing that the qualified voters of the most numerous branch of the General Assembly do meet at the several places in this State for holding elections, as fixed by law, in several Counties of this State, within the hour fixed for several Counties, on Monday, the 25th day of November next, and then and there, by ballot, to elect two delegates in each of the Counties now entitled to one Representative in the General Assembly, and four delegates in each of the Counties as are entitled to two Representatives in the General Assembly, and the names of such elected delegates to be forwarded to this Department in the manner prescribed by law for the election of Representatives in the General Assembly. And be it further enacted, that such delegates, when elected by a majority of the qualified voters of the several Counties, in the capital of said State on Tuesday, the 10th day of December next.

Given under my hand and the seal of the Executive Department at the capital in Milledgeville, this 23rd day of September, 1850, in the year of our Lord, 1850—18th year of the Independence of the State of Georgia.

J. W. PATTON, Secretary Executive Department.

## National Anti-Slavery Standard.

Without Concealment...Without Compromise.

NEW YORK: THURSDAY, OCTOBER 3, 1850.

### THE FIRST BLOOD.

The first case of capture under the infamous Fugitive Slave Law, which Northern Representatives and Senators passed, and the Northern President Fillmore signed, two or three weeks ago, occurred in this city, on Saturday last. A statement of the facts will show that the story needs no embellishment, and that such an occurrence is a better commentary on the new law than any that could be made before the law was carried into execution.

James Hamlet, who, in his position as a porter in a store, has been known only as a sober, industrious, intelligent and trust-worthy man, has recently been employed by Mr. Silas Wood, Beaver street, and was at work there on Saturday, when two deputy U. S. Marshals called and required him to go with them as a witness in a certain case of larceny. He was taken to the U. S. Commissioners' office, Alexander Gardiner presiding, and, on a charge of being a fugitive slave, after a brief examination of the person so claiming him, without any rebutting testimony being admitted, without the advice of counsel as to what plea he should make to establish his right to freedom, without time being allowed for the arrival of the counsel sent for, he was delivered over by the Commissioner, as a slave, to the claimant, who immediately demanded the protection and aid of the U. S. Marshal, to insure the safe return of the party to the residence of the said claimant, in Baltimore. Hereupon handcuffs were fastened upon the wrists of Hamlet; he was hurried into a carriage by the officers in whose custody he was placed, and in a few moments was on his way to Baltimore. He left behind him a wife and three young children, who were not even aware of his arrest till he was on his way to the South.

These are the bare facts in the case. A respectable man, upon a claim of two other men, who swore he was a slave, was hurried away without warning, without being permitted to see his friends, without any opportunity being granted him of showing his arrest to be illegal or unjustifiable—was torn from a young and dependent and attached family, and carried into interminable Slavery. Yet this act was perfectly legal, and every step was in accordance with the Fugitive Law recently passed. Let us look now at these steps.

Hamlet was arrested by authority of a warrant of the following tenor: "That there is a warrant of arrest against the following is a copy, though it is worthy to remark with what alacrity Marshal Talmadge's deputies sprung to the villainous work that was set them to do, entrapping the poor fellow, whom they were about to consign to a fate worse than death, by a lie:

To the Marshal of the United States for the Southern District of New York, and to his Deputies, or any or either of them—

Whereas complaint on oath, accompanied by proper proof, hath been made to me, charging that James Hamlet, a person held to service or labor in the State of Maryland, one of the United States of America, did, about the month of October, in the year 1848, escape into another State of the United States, and is now in the city and State of New York, in the Southern District of New York, a fugitive from such service or labor: Now, therefore, you are hereby commanded, in the name of the President of the United States of America, to apprehend the said James Hamlet, and bring his body forthwith before me, wherever he may be found; then and there to be dealt with, according to law, for the said offence. Given under my hand and seal, this 26th day of September, in the year of our Lord one thousand eight hundred and fifty, and of our Independence, the seventy-fifth.

ALEX. GARDINER, United States Commissioner for the Southern District.

When the party arrived at the Commissioner's Office the following proceedings in the case were had, as reported in the Tribune:

THOMAS J. CLARK, (a man with dark eyes and hair) swore that he was a clerk for Merchant's Shot Manufacturing Co. in Baltimore; knows James Hamlet; he is slave of Mary Brown, mother-in-law of mine, residing in Baltimore; have known Hamlet about 20 years; he left my mother-in-law about 2 years ago this season by absconding; he came from the city of Baltimore, and he resided in Baltimore; she is entitled to his services; he is a slave for life; she never parted with him voluntarily; she came into possession of him by a will from John G. Brown, her deceased husband; the written paper shown is an extract from his will; she told me that he was a slave; I have testified; this is the man (pointing to H. a light mulatto man, about 24 or 25 years of age, looking exceedingly pensive.)

The witness then swore to the affidavit.

GUSTAVUS BROWN—An 25 years of age; residing in New York; clerk for Merchant's Shot Manufacturing Co. in Baltimore; knows James Hamlet; he is slave of Mary Brown, mother-in-law of mine, residing in Baltimore; have known Hamlet about 20 years; he left my mother-in-law about 2 years ago this season by absconding; he came from the city of Baltimore, and he resided in Baltimore; she is entitled to his services; he is a slave for life; she never parted with him voluntarily; she came into possession of him by a will from John G. Brown, her deceased husband; the written paper shown is an extract from his will; she told me that he was a slave; I have testified; this is the man (pointing to H. a light mulatto man, about 24 or 25 years of age, looking exceedingly pensive.)

Mr. CLARK cross-examined by Mr. Child—I married Mary Brown's daughter about 17 years ago; Hamlet has always lived with us in the family; I am in her family now, and was at the time he went away; think he is about 28 years of age (he looks much younger than that—his features are very even, as those of a white person of the kind); he occasionally worked at the house of the late John G. Brown, who was a laborer, and Mrs. Brown got the benefit of him—that is when I had no other use for him; he had formerly been employed as a dayman; after I married into the family some year or two, we living together, I furnished the house; such wages I got for the man it was paid to Mrs. B. to be used as she saw fit; I was her agent to get employment for him as I could; I had him in various occupations; I have a power of attorney; I have no further interest in him than he is her property, and we wish to get him back to Maryland again where he left.

Mr. BROWN cross-examined—Left home 27th March last. Was home when Hamlet went away. At one time he was engaged at the Shot Tower business. Mr. Child said he had no further questions to ask—He supposed the rules of the law had been complied with.

Mr. Gardiner, the Commissioner, then said, I will deliver the fugitive over to the Marshall, to be delivered over to the claimant.

Mr. Child suggested that that was the law. The Commissioner then said he would hand him, as the law said, to the claimant, and if the latter would be in danger of rescue he would deliver him to the U. S. Marshall.

The United States Marshall said he had performed his duty in bringing him in.

Mr. Clark said he would demand such aid from the United States Marshal as would secure the delivery of the man to his owner in Baltimore.

Mr. Child suggested that it must be an affidavit that he apprehends a rescue. Mr. C. stated that he did so apprehend.

Mr. Talmadge, the Marshal, said he would have to perform his duty if called upon.

Mr. Child replied he supposed that he would, but there were doubts as to the form.

The necessary papers were made out by the Commissioner, Mr. Clark wearing his fearful rescue, and Hamlet was delivered to him, thence to the U. S. Marshall.

The Commissioner's order was as follows:

To whom these presents may come.

Whereas complaint had been made before me, Alexander Gardiner, Commissioner duly appointed by the Circuit Court of the United States, for the Southern District of New York, in the Second Circuit, under and by virtue of the acts of Congress of February 20th, 1812, March 1st, 1817, and 3rd, 1825, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, charging that James Hamlet, a person held to service or labor in the State of Maryland, did, on or about the month of October, 1848, escape into another State of the United States, from the State of Maryland, and from Maryland, and is now in the city and State of New York, to whom his service or labor is due, and whereas the said Thomas J. Clark did produce before me a certain power of attorney, in writing, acknowledged and certified under the seal of the Baltimore County Court, whereby he was duly authorized, by said John G. Brown, a resident of the city of Baltimore, to take possession of and hold for her use and benefit the said James Hamlet; and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped from the State of Maryland, in which such service or labor was due, to the State of New York, in which he has been arrested; and that the person in regard to whom such testimony has been produced is the said James Hamlet; and therefore, by virtue of the power in me vested by the act of Congress, in the said John G. Brown, a resident of the city of Baltimore, and of the said Commissioner, Thomas J. Clark, of the city of Baltimore, I do authorize the said Mary Brown, or her attorney, to take possession of and hold for her use and benefit the said James Hamlet, and whereas, upon such charge being made, as aforesaid, I, the said Commissioner, did issue my warrant in due form of law, for the arrest of the said James Hamlet, and whereas, the said James Hamlet, a resident of the city of Baltimore, was taken into custody by the said Commissioner, and the case heard in accordance with the provisions of the statute—Now I do certify that satisfactory proof has been produced before me, by the depositions of Thomas J. Clark, of the city of Baltimore, and of Gustavus Brown, of the city of New York, and by an extract from the will of John G. Brown, of the city of Baltimore, duly authenticated, that the services or labor of the said James Hamlet is due, for life, to the said Mary Brown, of the city of Baltimore, in the State of Maryland, that the said James Hamlet escaped



successful, and a certificate to that effect is granted him, whilst only five dollars is allowed them if they fail to see sufficient proof! Truly, it will be next to a miracle if, from such a class, not a few are found willing to become the tools of the oppressor.

The marshal and deputy marshals are obliged, under a penalty of \$1,000, to receive and use all proper means diligently to execute all warrants and precepts directed to them; and if any fugitive, after being arrested, shall escape from the custody of the marshal or his deputy, no matter whether with or without their assent, the marshal may be compelled to pay the value of the slave by a suit on his official bond. And the better to enable the commissioners to execute their duties faithfully and efficiently, they are authorized, from time to time, to appoint as many persons to execute their warrants as they see fit to, with authority, if need be, to summon and call to their aid the by-standers or posse comitatus, when necessary to insure a faithful observance of the law; and all good citizens are commanded to aid and assist in the prompt and efficient execution of the law, whenever their services may be required.

Any slaveholder, or his agent or attorney, may legally, either with or without any warrant, as he may see fit, seize any citizen, or other person found in this State, and take him before any one of these commissioners, in any county, whom for any reason he may please to select, and claim the man as his slave. It then becomes the duty of the commissioner to hear and determine the case of such claimant in a summary manner. There is to be no elaborate and careful sifting of evidence—no appointment of counsel to defend him. But the liberty of a human being is to be finally passed upon in a summary manner by a person who has more pecuniary interest to make him out a slave than he has to find him a freeman! And, in order to simplify the matter as much as possible, the law declares that the testimony of the alleged fugitive shall in no case be admitted, but at the same time points out a way in which the claimant can, by his own oath, or that of his agent, most easily fabricate conclusive evidence in support of his claim.

To obtain this evidence, a slaveholder may go before the judge of any court of record in his own State, and by ex parte testimony make satisfactory proof, to that judge of the escape of his slave; and thereupon a record is made of the matter so proved, and also a general description of the person so escaping, with such convenient certainty as may be, and a transcript of such record, authenticated by the attestation of the clerk and of the seal of said court being produced in Massachusetts, and exhibited to any of the above named judges or commissioners, shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the persons escaping is due to the party in such record mentioned. And upon the production by the said party of other and further evidence, if necessary, either oral or by affidavit, in addition to what is contained in the said record of the identity of the person escaping, he or she shall be delivered up to the claimant.

The result of this provision, in nearly every case, must be, that the slaveholder, by his own oath, or what is the same thing, that of his agents, taken wholly ex parte, and without being subjected to any close examination, may, through the process of a court record in his own State, prepare for use against citizens and residents here, conclusive evidence of the fact that a person of such a size, shape, and personal appearance, is his fugitive slave. But the daily experience of every reader must have already convinced him how frequently even entire strangers are mistaken for one another, even by intimate acquaintances of one of the parties. Over twenty persons were ready to testify, on oath, that they had seen Dr. Parkman in the streets, after the time when, as the result proved, his lifeless remains had been disposed of in the Medical College.

Now, what security have we, under this law, if the slaveholders' agent, with the authenticated record in his pocket, seizes the wrong man? Very little indeed—almost none! Suppose he meets a man in the street, whose appearance tallies, he thinks, with the description given in the record. He seizes him, and hurries him before that commissioner whose perceptions are most likely to be quickened by difference in his fees. If terror does not, the law does, close the mouth of the poor colored man. He may be an entire stranger in the place, and consequently unable to prove his freedom. He may, it is true, protest, on oath, before the commissioner, that he is a freeman, but the law pays no heed to his oath, though it fabricates conclusive proof out of that of the claimant. If the commissioner also thinks that the description in the record agrees with the appearance of the man before him, he may adjudge the production of any further proof of identity unnecessary, and grant the claimant a certificate that the man is his slave. He may, if he pleases, even refuse to hear a particle of evidence in favor of the victim, supposing the latter to be in a situation where he can procure any, which frequently must happen not to be the case. This certificate, no matter how corruptly procured, cannot possibly be legally impeached or set aside in any way. The law declares that it shall be conclusive evidence of the right of the claimant to remove the alleged slave, and shall prevent all molestation of the claimant by any process issued by any court, judge, magistrate or other person whatsoever. The writ of habeas corpus—the writ of personal replevin—the right of trial by jury—all fall powerless before this "certificate," thus summarily procured. The State is bound to protect its citizens, and yet there is no process known to the law which can avail the victim. Thus completely is the liberty of any citizen of this State placed at the mercy of any one corrupt or careless commissioner!

Suppose one of the many colored seamen and stewards (our own free born citizens) who have been, agreeably to Southern law, sold into Slavery for life in Charleston and other Southern ports, for venturing to exercise the right guaranteed to them by the Constitution, should escape from Slavery, and once more breathe the free air of Massachusetts. There is not sufficient power in all the Commonwealth legally to prevent that man from being torn from the very spot of his birth, under the provisions of this law, and taken back to Slavery! The master would come here with the authenticated record which would constitute conclusive evidence of his Slavery and escape, and not even the testimony of the mother who bore him, of his wife and children, singly or combined, would shake in the slightest degree the conclusive character of the record. The identity of the man would be beyond doubt. It would be beyond all doubt that he was really a freeman. Even the commissioner might believe him to have been a native of this State; and yet, under the provisions of this law, we could not protect him from being carried back to Slavery! Our laws would be powerless! Whoever had the manliness to endeavor to help him to escape, would expose himself to a fine of \$1000 and six months imprisonment, and perhaps to a further claim of \$1000, by way of civil damages to the claimant. It is possible that public opinion might be powerful enough to avail him, but it would avail him only by trampling the law under foot. And this is not the kind of protection for the liberty of the citizen, which our State Constitution speaks of when it declares that each individual has a right to be protected by society in the enjoyment of his liberty, according to standing laws. Even this kind of protection, which public opinion might offer, the law of Congress guards against, as far as possible. In case the claimant makes affidavit that he has reason to apprehend a rescue by force, before he can take the fugitive beyond the limits of the State in which the arrest is made, it is made the duty of the officer to retain custody of the fugitive, and remove him to the State from whence he fled; and to do this, he is authorized to employ, at the expense of

the United States, such a number of men as will be sufficient to overcome any rescuing force which may be brought.

Such are some of the legal objections which may be brought against this law. As we have seen, a regard for the fundamental principles of the Constitution, for the self-evident truths of the Declaration of Independence, required Congress, when enacting a law on this subject, jealously to guard the rights of citizens of the free States. Not only has Congress not done this, but it has passed a law, which places at the sole discretion of any one of a number of interested men, the liberty of any man in the Commonwealth, and which deprives the Commonwealth of all power to protect, in any way except by force of arms, the liberty of its own admitted citizens; a law which tramples under foot long acknowledged and fundamental principles of civil liberty, and those legal rules of evidence, the application of which the experience of centuries has demonstrated to be necessary to protect the personal rights of the individual.

But there are other and far higher and more important objections to this law, and the clause of the Constitution under which it was framed, than any or all of those which have been alluded to. Even if we could be perfectly sure that none but those who are legally slaves would be returned to bondage—even if we were capable of demonstration, that under this law and constitutional provision, the rights of every free citizen would be protected—still, it would be morally wrong to support these laws. Slaveholding is always wrong. It is wrong to hold any man in Slavery. It is wrong to return or aid in returning a fugitive slave. These things are wrong—the Constitution of the United States and law of 1850 to the contrary notwithstanding. Not all the constitutions and laws of the universe can make wrong in the slightest degree right. No one hesitates to deny the right of any one to hold us in Slavery. Every one admits that if we were slaves, it would be right to escape if we could, and wrong for any one to force us back into Slavery. But if it is wrong for any one to enslave us, or to force us back into Slavery, it is just as great a wrong for us to enslave any one else, or to aid in returning any one else to Slavery. The soul of each man responds to the law of God—Do unto others as ye would have them do unto you. Thou shalt love thy neighbor as thyself—and the slave who is toiling on a Southern plantation, and the slave who has manfully compassed his escape, are no less our neighbors than the friend whom we have known and loved from boyhood. God is the common Father of us all. All men, black as well as white, are brethren.

We cannot bring ourselves to believe that the Old Bay State is to become a hunting-ground for slaves. We will not believe that Massachusetts freemen will lend their aid to this monstrous inhumanity, until said experience shall have demonstrated the fact. Who is there who is so heartless as not to be willing to succor and assist William and Ellen Craft? Where shall we find the man with soul so dead as to be willing to seize the heroic woman, Betsey Blakely, who, concealed on board ship, escaped from Wilmington, N. C.? Whose house and purse would not be opened to afford her shelter and protection against the slave-hunter? No! the law cannot be enforced in Massachusetts! It is contrary to the moral sense of the community, and the community will repudiate it. Pass enactments, says the earnest-souled Henry Ward Beecher, "enough to fill all the archives of the Senate, and your slave-catcher shall not budge an inch faster than he now does in the North. Every village will burn him. Every yeoman along the valleys will run the slave, and trip the shameless hunter. Bread and shelter, protection and direction, will be the slave's portion north of Mason and Dixon's line, with more certainty and effect every year than it elapses, until the day of emancipation." "It will be so, because, since the world began, the sympathies of common men have been with the weak and oppressed. In that sympathy, they have conformed to the fundamental law of humanity, which lies deeper in the consciousness of honest men than any national compact can ever go. Man cannot plant parchments as deep as God plants principles. The Senate of the United States is august; and such men as lead her counsels are men of might. But no man, and no Senate of men, when once the eyes of a community are open to a question of humanity, can reason and enact them back again to a state of indifference, and still less can they enlist them along with the remorseless hunters of human flesh. And of all the very men who will justify Mr. Webster's adhesion to the South, if a trembling woman, far spent with travel and want, holding her babe to her bare bosom, true in her utmost misery to motherhood, should timidly beg a morsel of bread, a place to sleep, or a night's hiding-place from a swift pursuer—is there one of them all who would hesitate what to do? Is there a New England village that would not vomit out the wretch that should dare harm the slave mother? There are thousands of merchants who will say Mr. Webster is right, who the next moment will give a fugitive slave a dollar to speed on with! There are thousands who will say we ought to stick to the Constitution, who, when the case comes, would sooner cut their right hand off than be a party to a slave's recovery.

We cannot refrain from quoting one other extract from the same writer:—"If the compromises of the Constitution include requisitions which violate humanity, I will not be bound by them. Not even the Constitution shall make me unjust. If my patriotic sires confederated in my behalf, that I should maintain that instrument, as I will, to the utmost bounds of Right. But who, with power, which even God denies to himself, shall by compact foreordain me to the commission of inhumanity and injustice? I disown the act. I repudiate the obligation. Never will I have breath will I help any official miscreant in his base errand of re-capturing a fellow-man and forget her cunning, if I ever become so untrue to mercy and to religion as not, by all the means in my power, to give aid and succor to every man whose courage, if asked, what then becomes of the Constitution, I reply asking what becomes of God's Constitution of Humanity, if you give back a slave to the remorseless man of servitude? I put Constitution against Constitution God's against man's. Where they agree, they are doubly sacred. Where they differ, my reply to all questions—but especially to all timid Christian scruplers—is in the language of Peter: 'Whether it be right, in the sight of God, to hearken unto you, more than unto God, judge ye.'"

Freemen of Massachusetts! Followers of Christ, the Redeemer! Believers in a higher law than that of man, even the unchangeable law of God! The hour has come to prove your religious profession—that the sincerity of your religious profession—that you are not atheists in heart! As citizens, it is your prerogative to question the constitutionality of any enactment of Congress, and, in case you are convinced of its illegality, to contest it, as such, till its final decision be made by the rightful judiciary. As moral and religious men, you cannot obey an immoral and irregular statute, whether it be constitutional or otherwise, without forfeiting your character, and committing gross impiety. The edict of Nebuchadnezzar, setting up the golden image to be worshipped, on pain of the rebellious being cast into the den of lions, was just as obligatory as is the fugitive slave law of Congress. This law is to be denounced, resisted, disobeyed, at all hazards. Its enforcement on Massachusetts soil must be rendered impossible. The testimony against it must be so emphatic and universal, that no slave hunter will dare to make his appearance among us, and no officer of the Government presume to give us any heed to it. The religious or political journal that refuses to record its protest against the law must be marked, exposed, and held up to popular abhorrence. In every city, town and village, the clergy, of all denominations, should be respectfully requested, by deputation or letter, to arraign the law from the pulpit as inhuman and immoral, and therefore null and void; and, should any shrink from the performance of a duty so clearly obligatory, let their names be published to the world, and handed down to posterity. Let a vigilance committee be appointed in every place, whose duty it shall be to succor and help, in every way, the

fugitive slave. Let those who exercise the elective franchise send up such senators and representatives to the next Legislature as will be ready to give official expression to the deep detestation of the law of Congress which pervades the Commonwealth. Bear in mind, that laws which are contrary to public opinion are dead, though living on the statute book.

To his undying infamy, one of the representatives in Congress from this State—SAMUEL A. ELIOT, of Boston—voted for this cruel, illegal, unchristian enactment! It was the vote of one recreant to justice, humanity, and honor; and however a proud, corrupt, heartless aristocracy in the city may seek to screen him from condemnation, the people of the Commonwealth will never forget his base servility to the Slave Power.

In conclusion—though, at the present session of Congress, the cause of liberty has been most shamefully betrayed, there is no real ground for dismay or discouragement. 'The triumphing of the wicked is short.' The revolution which has for twenty years been steadily going on, is not to be stayed by any factitious victory or specious compromise, but shall assuredly accomplish its work in due time. As for the Southern traffickers in human flesh, and their Northern accomplices! Ah! vainly they trust, in their arrogant pride, that they can turn back the truth in their conquerous tide. While onward she rushes, majestic and free, Like the Amazon's wave as it sweeps to the sea.

Let them bind, if they will, the swift clouds as they run—  
The storm-bolt, the whirlwind, the tempest of hail—  
Turn back the red light to its home in the sun—  
Stay the ruin that rides on the wing of the gale!  
But they never shall bind, with a tyrant's command,  
The Spirit of Freedom gone forth in our land;  
Or fetter the Truth, as she moves through the world,  
With her hand to the sword, and her banner unfurled!

In behalf of the Board of Managers of the Massachusetts Anti-Slavery Society,

FRANCIS JACKSON, President.  
EDMUND QUINCY, Secretary.

Domestic Correspondence.

From Our Boston Correspondent.  
NO. LXVII.

THE ARGUMENT.—Jenny Lind fever.—The race of fools.—Who beat and who were next.—Preeminence of Boston.—Mortification of New York.—The buyers and not the tickets sold.—Disgraceful consequence.—The correspondent's disgust.—He telleth of Peter Higgins and his friends.—He mourneth over the failure of the plot.—He affirmeth that there are a few survivors.—Royal reception of her Majesty.—The Swedish flag—What was written on the doorposts and the gates.—Municipal Homage.—Address of the Mayor and Aldermen.—Cerebralism of the same.—Knighthood.—The Box on the Ear.—How it was—Order of the Nightingale.—Ornithology emblemology.—The Scrimmage.—The Handbill.—Sigma taketh it amiss.—The Correspondent marcelets.—Sigma's generous vindication of an unbecoming object.—How it was done.—Extraordinary privacy of Mr. Edmund Quincy.—The Correspondent threatens him.—How Sigma annihilated him.—Sponsorial error.—The Hampden Hoax.—Sigma's Blunder exposed.—Sell or no sell.—First Fruits of Fugitive Bill.—Meeting of fugitives here.—Their proposed contribution to the English language of a new verb, &c., &c., &c.

Boston, September 28th, 1850.

It is so long since I wrote to you that I scarcely remember where I left off. Wherever it may have been, I find myself now in the midst of the Jenny Lind fever, which broke out here with even more fury than it did with you. The absurd price given by Dodge, the vocalist, you have heard of. Though there was a long interval between him and the fools that followed nearest to him in the race, still the tickets sold at ridiculous prices. I suppose Boston enjoys the honor of having made the biggest fool of herself in this direction that the world has yet seen, "considering the size of the town." Nearly as large a sum was got for an audience of twenty-five hundred in the Tremont Temple, as for ten thousand in Castle Garden. New York, therefore, must hide her diminished head. I understand, however, that she is resolved to gird herself up anew in this glorious struggle and to make Boston, like Barnum, "Nowhere." I am happy to learn, however, that some of the speculators in tickets were sold instead of the articles they proposed to trade in, and that their adventures were closed at a loss of about one half the investment. In consequence of this, the best places sold this morning for the disgracefully low sum of five dollars and a half premium, or eight dollars and a half a ticket. I looked in at the auction to see the fun, but when I found how matters were going on, I retired in disgust.

There was a good story in circulation before the first auction which it is a pity could not have become history. "Si no e vero e ben trovato." If not true it well deserves to be. It was said that the people doing business round Faneuil Hall market had made up a purse to buy the first ticket for one Peter Higgins, a second-hand hat dealer, who keeps thereabouts. Their wish was to give precisely two hundred and twenty-five dollars and fifty cents (Gavin having given \$225 for his); but for the honor of Boston they were willing to go as high as five hundred dollars. You will appreciate the glory that would have redounded to our city, if a second-hand Boston hatter had eclipsed a first-hand New York one. But if there were any truth in the story, and if Peter Higgins were not a myth, the adventures had not reckoned with their host in the matter of the folly of their fellow-citizens. It would have been an admirable burlesque on this extravagant folly, and was well worthy of success. I beg you would not suppose, (as you might if you had not been an editor too long to believe all that you see in the papers) that this distemper carries off every individual in the city. There are a few hundreds, here, as I suppose there may have been in New York, who are in the enjoyment of their usual health; perhaps a little heightened by witnessing the malady of their neighbors.

The Queen of Song has been received with royal honors, as was her due. Her apartments at the Revere House were fully furnished for the occasion, and the flag of Sweden floated from its battlements. Among other circumstances of magnificence, the handle of the lock of her door had the rather equivocally complimentary text engraved upon it, "he that giveth to the poor lendeth to the Lord." As much as to say, if you will give money to the poor the Lord will raise up fools enough to make it worth your while! You will be happy to hear that the homage of the city in its corporate capacity was laid at the feet of Her Majesty in due form. Mr. Mayor Bigelow, accompanied by Aldermen Grant and Holbrook, performed this interesting duty. It is understood that they went in State, preceded by the city Marshal on horseback, and with the Corporate Seal and the Keys of the City Hall, the Gavel and the Walled City, these were all the keys they had at hand) before them. On being introduced into the Royal Presence our worshipful Chief Magistrate made an humble and appropriate address, which was graciously received. It was thought that the least Her Majesty would do in return for this demonstration of loyalty would be to inflict the honor of knighthood on the Civic Dignitary. But, strange to tell, instead of bestowing the accolade, or thump on the shoulder, which makes part of that ceremony, she fairly gave him a sound box on the ear. It happened on this wise. In the course of his address he said "it is not your superhuman musical endowments that has captivated our senses; 'tis your unblemished private character and"—here Queen Jeany interrupted him with the very pat questions—"What do you know of my private character? What can you know of my private character? No! But possibly this may be the ceremonial in that realm of Demi-semi-quavers over which she reigns. And so, perhaps, our worthy Chief Magistrate will yet receive the insignia of the Order of the Nightingale; unless, indeed,

he should think that some other bird in the range of ornithology might more fitly express her sense of his merits.

There has been a good deal of amusement hereabouts, for a few weeks past, in consequence of a small *Scrimmage* (if you will pardon the expression) into which you and I were unwittingly dragged. It arose from my penultimate letter in which I had given some account of an eminent person well known in these parts (being, "like Cerebus, three gentlemen at once") as the "Sixton of the Old School," "Sigma" and Lucius Manlius Sargent. Some malicious persons, it seems, not knowing how extensive is the circulation of the Standard, got out your Correspondent's letter in a handbill, which was widely circulated within the narrow public that cares for these things. Singularly enough, the person thus distinguished by your Correspondent and his own friends took it in snuff—which seemed strange, for two reasons: First, because he is a sworn enemy to tobacco in all its forms; and, secondly, because the handbill contained the very cream of the dream (*la crâne de la crême*) of his own articles against Garrison and his gang of disorganizers, in the proportion of three parts to two of mine. Such was the case, however, and he came out very strong in the Transcript in vindication of the character of one Edmund Quincy, of Dedham, to whom the authorship of that letter had been maliciously ascribed. It was a friendly act on his part, and only slightly modified by his calling that gentleman, although he acquitted him of this crime, and admitted he had always treated himself with civility and respect, "a fool and an ass," with a slight intimation that he was a lunatic into the bargain. You will scarcely believe it, but it is true that that individual (relying, doubtless, on the strict *acquitto* which I have preserved in my letters) actually had the assurance to come out in the Post and claim my letter as his! Though I remember, now, that you requested his offshoot by copying his letter and the just censures of Sigma into the Standard. I remember no parallel piracy except that of the Englishman who copied out the Man of Feeling, before Mackenzie acknowledged it, with erasures, interlineations and corrections, so that, it being found in his desk after his death, he had a brief reputation of having written it, until the real author settled the matter.

Now, I cannot be surprised that any man should be ambitious of the reputation of writing my letters. But I think any one possessed of this last infirmity of noble minds, in this direction, had better wait until he is beyond my reach, or I beyond reaching him. I can assure that person that I believe I know more about him than any body else; and if he provoke me, I may *Signatize* him, also. However, he was in good hands. If Sigma gave him the lie once, he did fifty times; and, as the crowning and crushing sarcasm of all, he, in the cruellest manner, persisted in calling him "Mr. Edmund" throughout. Surely, his godfathers and godmothers were much to blame in the matter of his nomenclature. Instead of "Manlius," they should have christened him "Junius!" However, it had its effect, yet more than it was meant to have. Sigma merely said that "he thought he had killed him," while the mangled victim owned up to entire and utter annihilation. Barnum, when he was "Nowhere," was an Entity, as well as a Quiddity, alongside of him. He emerged, however, sufficiently far out of the gulf of non-existence to suggest to Sigma a slight error into which he had fallen, in his Sertorial capacity. He had enlightened the readers of the Transcript with a minute account of the disinterment of John Hampden by Lord Nugent, in 1828, for the purpose of ascertaining whether that patriot came to his death by a shot in the shoulder, from the enemy, or the bursting of his own pistol. He was very severe on his lordship for his proceedings in the premises, and intimated his opinion that he was so ashamed of them that he adhered to an account of the mode of Hampden's death in his "Memorials," which was contradicted by the condition of the body. Now, it so happened that the whole story was a pure and unmitigated hoax. Last Saturday morning Mr. Quincy came out in the Post with the proofs of this fact, and in the afternoon, by one of those felicitous coincidences which occur only once in a man's life, Sigma came out in the Transcript with the second part of his account of the fabulous disinterment, and annihilating poor Lord Nugent, for a thing that never happened, with his very best sarcasm and indignation, even as he had done the unlucky aspirant to your Correspondent's laurels! While the town was laughing over the *Self* of the Sexton, with that good humor men always feel at seeing another disposed of in that manner, the outside of the Transcript was actually struck off, and beyond recall, containing this most comical clinching of the nail that had been driven in a sure place, in the morning! Last Tuesday, Sigma "acknowledged the corn," as to the hoax, but denied that he was "Sold"—an opinion in which I believe he stood quite alone among his fellow citizens.

To come down to serious things, I see that the first fruits of the infernal Slave-hunting bill have been borne in your city. I think that Bill of Abominations is exciting a deeper and deeper disgust and abhorrence, as it is becoming more known and better understood. The fugitives here hold a meeting to-night to consider what they had better do. I think they will conclude that there is no safety for them this side of Victoria's Canada. It is said that they propose adding a new verb to the English vocabulary to describe this new phase of crime, and to say that a slave seized under this law is *ELIOTED*, in honor of the Representative of Boston, the most marked Northern man that helped to make it. If you think it appropriate and expressive, you can pass it round.—D. V.

Miscellaneous.

OSMAN E. DODGE, Vocalist, bought the first ticket to Jenny Lind's Concert, in Boston, for Six Hundred and Twenty-five dollars.

AMERICAN INSTITUTE.—The twenty-third annual fair of this association was opened at Castle Garden on the 1st inst.

THERE are five sisters in Cambridge, near Boston, who can only sing in a mesmeric state, and then they are said to sing with great greatness and power. The Boston Journal says "their music, while in the state of trance, induced by Dr. Cutter, is superior to anything we have ever heard in the normal state."

A DEMOCRATIC State Convention in Michigan nominated General Cass as a candidate for the Presidency in 1852.

The Grand Jury of Philadelphia have indicted the Fire Department of that city as a nuisance, and call upon the city authorities to have it abated, meantime urging the citizens to refuse all donations to independent or volunteer companies.

THE DIRECTION of a LETTER.—The following superscription is copied by the post from a letter now in the post office in this city. "Mr. James Frank H. White hall set to be forwarded to Paul Rutledge and him to William shanahan and from him to Bridget Heanigan New York."

VERMONT FOR UNIVERSAL PEACE.—The People of Vermont are preparing to send a Mammoth Memorial to Congress and the President in favor of Universal Peace, on the basis recently suggested at the Frankfort Peace Convention. This form is as follows:

To the President of the United States.  
The undersigned, legal voters in Vermont, deploring the evils of War, and desirous of the adoption of measures leading to the peaceable adjustment of all international difficulties, respectfully request you to propose to all nations the establishment of a Board for the settlement of all international disputes or claims.

FUGITIVE SLAVES.—We learn that Orlando Hastings, Esq. has been appointed by Judge Griddle a Commissioner under the law for the re-capture of fugitive slaves. If the slave-catchers should come so far from home as this city, seeking for their victims, we know of no one who will scrutinize their claims more closely, or with a more humane desire to shield the colored man, than the newly appointed Commissioner—Roch. Dem.

If the appointment of Slave-catching Commissioners has commenced, we have a candidate whose claims can hardly be surpassed. We allude to Hon. James K. Whittier, whose speech at Castle Garden last winter cannot have been forgotten so soon. Though not a Whig, he is eminently "National," and "Conservative," and eminently faithful to the Compromises of the Constitution. We shall insist on his having the first appointment for this city.—*Tribeune*.

THE ATLAS of this city in speaking of the Fugitive Slave Bill says. That infamous and degrading bill has passed both houses of Congress; but, thank God, there was but one man in the whole New York delegation, in the House of Representatives, and but one in the Senate who was sufficiently debased to vote for it—to vote for the degradation of the great State of New York. The representative is named Hiram Walden—the Senator is named Daniel S. Dickinson. Let both be remembered—let them be!

"Excited over their less abhor'd coeppers,  
And fester in the infamy of years."

LARGE GOLD COINS.—Senator Gwin has brought forward a measure providing that gold coins of the value of from one hundred to ten thousand dollars shall, be struck at the Mint. They are to be rectangular, suitable for packing, being designed for commercial purposes. They are to be struck of refined gold of uniform fineness and with appropriate legends and devices similar to those upon our smaller coins, with their values conspicuously marked and the inscriptions *Liberty and United States of America*. Counterfeiting and mutilation are rendered punishable by suitable contrivance and penal enactments.

FROM AFRICA.—We are indebted to a commercial house in this city for the following extract from a letter received by them.—*Com. Adv.*

SERRA LEONE, Africa, Aug. 2d, 1850.

The British brigantine-of-war, Bonetta, arrived yesterday from the leeward coast, and will leave for England direct this afternoon, with information that the King of Dahomy has ordered the missionaries and re-captured slaves at "Understown" to leave the country before the 1st of October. If they do not, he says that he will behead them all, commencing with the missionaries. Commander Forbes, of the Bonetta, had an interview with the King, and the result was the immediate departure of the vessel for England.

The Western Baptist Association, at its recent meeting in Newmam, Ga. adopted the following resolution: Resolved, That in view of the alarming political agitations of our country, we recommend that the second Friday (the 18th) of November next, be observed by the churches composing this body, as a day of humiliation, fasting and prayer, that the Lord may be graciously pleased to guide the rulers and people of our land to wise, just and peaceful measures, to restore a temporary quietude to our borders, and make us ever to dwell under the shadow of his wings, a united and prosperous nation.

Resolved, That we respectfully and earnestly request the churches of our denomination generally, and all Christian denomination throughout the whole country to observe this day, to concur with us in the observance of the above named day.

Resolved, That a notice of this recommendation be immediately inserted in as many of the public prints as practicable, and that other papers throughout the country, religious and secular, be requested to copy the same.

A WHITE BOY KIDNAPPED BY A NEGRO.—A few days since a young man, about 20 years of age, went to the Police Office of the Third Municipality, and stated that when he was about 12 years old he was kidnapped from this city by a free colored man named De Lisle, and by him taken to Attakapas, where, until a short time ago, he was among negroes as a slave. The young man said that his name was Adolph Archer, that his parents were residing in this city when he was taken away; that he had a brother named Henry, and that the person who kidnapped him now resides about twelve or thirteen miles from New Iberia in this State. He further says that during the time that he was on the plantation he was, in every respect, treated as a negro slave, and sedulously shut out from all intercourse with white persons, until he embraced an opportunity to escape. The story of Adolph's wrongs having been sent to some extent made public in the Third Municipality, came to the ears of his brother Henry, who sought out the long-lost Adolph and welcomed him to the endearments of a home. Henry is now employed in the office of the Swiss Consul, and is, as we learn, determined to seek out and bring to justice the heartless kidnapper of his brother.—*N. O. Delta*.

MURDER IN CHESTER COUNTY.

West Chester, Chester Co. Pa. Sunday, Sept. 29.

Dear Sir:—The community hereabouts has been thrown into a state of excitement at the perpetration of a murder, unparalleled almost in the annals of human atrocity. The circumstances are briefly these:—Phebe Sharpless, a daughter of Aaron Sharpless, near Hampton, in this county, has been teaching school near Rocky Hill, near three miles east of this place, and yesterday morning, about 8 o'clock, as the scholars began to assemble at the school, they discovered her lying lifeless, having been shot in the back part of the neck so as to cause instant death. The wailing of the gun was lying near by, and the person who perpetrated the deed must have been secreted behind a walnut tree, which stands about 25 or 40 feet in front of the door. She was a young woman about 20 years of age, of high respectability. A person has been arrested this morning, by Sheriff Darlington and posse, supposed to be the murderer, (his name is George Pharaoh), and circumstances tend strongly to fix it upon him, as he has been frequently about this place, and the wailing of the gun corresponds with a number of the Saturday Evening Post, found about his person. He denies having anything to do with the perpetration of the murder, but says that he was out gunning, and was at no time near the school-house than a certain fence, about a quarter of a mile distant.

THE FIFTEENTH PENNSYLVANIA ANTI-SLAVERY FAIR.

To be held in Philadelphia on the 17th, 18th 19th, and 20th of December, 1850.

The Managers of the Pennsylvania Anti-Slavery Fair invite all those who, in previous years, have labored with them, and others interested in the promotion of the cause of Freedom to aid them in the work of preparation for their Fifteenth Annual Fair. The time demands earnest words and deeds. The present is not a season for loitering, or for rest. Our whole nation, from its centre to its remote circumference, is roused from a long and deep lethargy, and the great question of Slavery is about to be decided. In such a crisis the friends of Freedom cannot be too earnest or too busy in their efforts to disseminate their principles. There is no time to be lost. We therefore urge all such to unite heartily and zealously with us in the use of this well-tried and proven instrumentality for the promotion of the Anti-Slavery Cause.

Sarah Pugh, Anna M. Hopy, Emily A. Winslow, Margaret Forten, Mary Grey, Martha Carman, Janette Jackson, Rebecca Plummer, Emma Parker, Maria M. Davis, Sarah A. McKim, Margaret A. Griscom, Margaret J. Davis, Elizabeth Carman, Mary Shaw, Elizabeth Clendennen, Sarah T. Child, Anna M. Child, Huldah Justice, Harriet D. Purvis, Theresa K. Hallows, Hannah W. Haydock, Elizabeth Gray, Priscilla Lukens, Hannah L. Stickney, Mary P. Stickney, Sarah M. Douglass, Esther Reckless, Margaret J. Davis, Clementine G. Ruby, Gertrude K. Burleigh, A. Matilda Cassey.

THE ONE HUNDRED CONVENTIONS.

HELD PURSUANT TO A RESOLUTION ADOPTED AT THE RECENT N. ENGLAND ANTI-SLAVERY CONVENTION, Will continue with meetings at the following named places:

SOUTH SCITUATE (Plymouth Co.), Sunday, October 6.

To be held in connection with the quarterly meeting of the Old Colony Anti-Slavery Society, and will be attended by S. S. FOSTER, NATHANIEL H. WHITTING, and others.

UPTON (Worcester Co.), Sunday, October 13.

This Convention will be held in Waverly Hall, at the usual hours of meeting, and will be attended, probably, by SAMUEL MAY, JR., STEPHEN S. FOSTER, and CHAS. C. BURLEIGH. [See Handbills.]

A CONVENTION

Will be held at WORCESTER, Mass. on the 23d and 24th of October next, (agreeably to the appointment of a preliminary meeting held at Boston, on the 30th of May last,) to consider the question of WOMAN'S RIGHTS, DUTIES and RELATIONS; and the Men and Women of our country, who feel sufficient interest in the great subject to give an earnest thought and effective effort to its rightful adjustment, are invited to meet each other in free conference, at the time and place appointed.

The upward-tending spirit of the age, busy in a hundred forms of effort for the world's redemption from the sins and sufferings which oppress it, has brought this one, which yields to none in importance and urgency, into distinguished prominence. One-half of the race are its immediate objects, and the other half are as deeply involved, by that absolute unity of interest and destiny which nature has established between them.

The neighbor is near enough to involve every human being in a general equality of rights and community of interests; but, Men and Women, in their reciprocities of love and duty, are one flesh and one blood—mother,

wife, sister and daughter come so near the heart and mind of every man, that they must be either his blessing or his bane. Where there is such mutuality of interests, such an interlinking of life, there can be no real antagonism of position and action. The sexes should not, for any reason, or by any chance, take hostile attitudes toward each other, either in the apprehension or amendment of the wrongs which exist in their necessary relations; but they should harmonize in opinion and co-operate in effort, for the reason that they must unite in the ultimate achievement of the desired reformation.

Of the many points now under discussion and demanding a just settlement, the general question of Woman's Rights and Relations comprehends such as:—Her EDUCATION, Literary, Scientific, and Artistic;—Her AVOCATIONS, Industrial, Commercial, and Professional;—Her INTERESTS, Pecuniary, Civil, and Political;—in a word—her RIGHTS as an Individual, and her Functions as a Citizen.

No one will pretend that all these interests, embracing, as they do, all that is not merely animal in a human life, are rightly understood or justly provided for in the existing social order. Nor is it any more true that the constitutional differences of the sexes, which should determine, define and limit the resulting differences of office and duty, are adequately comprehended and practically observed.

Woman has been condemned, from her greater delicacy of physical organization, to inferiority of intellectual and moral culture, and to the forfeiture of great social, civil and religious privileges. In the relation of marriage, she has been ideally annihilated, and actually enslaved in all that concerns her personal and pecuniary rights; and even in widowhood and single life, she is oppressed with such limitation and degradation of labor and avocation as clearly and cruelly mark the condition of a disabled caste. But, by the inspiration of the Almighty, the beneficent spirit of reform is roused to the redress of those wrongs. The tyranny which degrades and crushes wives and mothers, sits no longer lightly on the world's conscience—the heart's home-worship feels the stain of stooping at a dishonored altar—Manhood begins to feel the shame of muddying the springs from which it draws its highest life; and Womanhood is everywhere awakening to assert its divinely chartered rights, and to fulfil its noblest duties. It is the spirit of reviving truth and righteousness which has moved upon the great deep of the public heart, and aroused its redressing justice; and, through it, the Providence of God is vindicating the order and appointments of his creation.



